

include the presentation in the agenda. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments.

Minutes

The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9:00 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to Charles M. Rice, INEEL Citizens' Advisory Board Chair, 477 Shoup Ave., Suite 205, Idaho Falls, Idaho 83402 or by calling Wendy Green Lowe, the Board Facilitator, at (208) 522-1662.

Issued at Washington, DC on April 2, 1998.

Rachel Samuel,

Deputy Advisory Committee Management Officer.

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DEPARTMENT OF ENERGY

[FE Dockets No. PP-177 and EA-177]

Applications for Presidential Permit and Electricity Export Authorization Burke-Divide Electric Cooperative, Inc.

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of applications.

SUMMARY: Burke-Divide Electric Cooperative, Inc. (Burke-Divide), a rural electric cooperative headquartered in Columbus, North Dakota, has applied for a Presidential permit to construct, connect, operate and maintain a new electric transmission facility across the U.S. border with Canada. In addition, Burke-Divide has applied for authorization to export electric energy to Canada.

DATES: Comments, protests, or requests to intervene must be submitted on or before May 8, 1998.

ADDRESSES: Comments, protests, or requests to intervene should be addressed as follows: Office of Coal & Power Import and Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0350.

FOR FURTHER INFORMATION CONTACT: Xavier Puslowski (Program Office) 202-586-4708 or Michael T. Skinker (Program Attorney) 202-586-6667.

SUPPLEMENTARY INFORMATION: The construction, connection, operation, and maintenance of facilities at the international border of the United States for the transmission of electric energy between the United States and a foreign country is prohibited in the absence of a Presidential permit issued pursuant to Executive Order (EO) 10485, as amended by EO 12038. Exports of electricity from the United States to a foreign country are also regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)).

On March 18, 1998, Burke-Divide filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) for a Presidential permit. Burke-Divide proposes to construct approximately one mile of 12.47 kilovolt (kV) distribution line in North Star Township, Burke County, North Dakota, north to the Canadian border. In a separate application, also filed on March 18, 1998, Burke-Divide applied for authorization to export electric energy to Canada, using this proposed facility, pursuant to section 202(e) of the FPA.

The purpose of the proposed line and export authorization is to supply electric energy to a rail car loading facility located approximately 2000 feet north of the United States border with Canada in the Province of Saskatchewan, Canada. The proposed line would extend from the present dead end of a 12.47 kV distribution line that itself originates at Burke-Divide's Bowbells Substation. The substation will not be enlarged, nor will new generation be required to supply the proposed load.

Burke-Divide does not own or operate any generating facilities. The electric energy Burke-Divide proposes to export will be supplied from its Western Area Power Administration allocation or purchased from Upper Missouri G&T Association (Upper Missouri). Upper Missouri also does not own generating facilities, but purchases its power needs from Basin Electric Power Cooperative, a generation and transmission cooperative headquartered in Bismarck, North Dakota.

Since the restructuring of the electric power industry began, resulting in the introduction of different types of competitive entities into the marketplace, DOE has consistently expressed its policy that cross-border trade in electric energy should be subject to the same principles of comparable open access and non-discrimination that apply to transmission in interstate commerce. DOE has stated that policy in export

authorizations granted to entities requesting authority to export over international transmission facilities. Specifically, DOE expects transmitting utilities owning border facilities constructed pursuant to Presidential permits to provide access across the border in accordance with the principles of comparable open access and non-discrimination contained in the FPA and articulated in Federal Energy Regulatory Commission Order Nos. 888 and 888-A (Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities). In furtherance of this policy, DOE intends to condition any Presidential permit issued in this proceeding on compliance with these open access principles.

Procedural Matters

Any person desiring to be heard or to protest this application should file a petition to intervene or protest at the address provided above in accordance with section 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214).

Fifteen copies of such petitions and protests should be filed with the DOE on or before the date listed above. Additional copies of such petitions to intervene or protest also should be filed directly with: Mr. Keith Berg, General Manager, Burke-Divide Electric Cooperative, Inc., P.O. Box 6, Columbus, North Dakota 58727-0006.

Before a Presidential permit or electricity export authorization may be issued or amended, the DOE must determine that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system and also consider the environmental impacts of the proposed actions pursuant to the National Environmental Policy Act of 1969. For a Presidential permit, DOE also must obtain the concurrences of the Secretary of State and the Secretary of Defense before taking final action.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above.

Issued in Washington, DC, on April 1, 1998.

Anthony J. Como,

Manager, Electric Power Regulation, Office of Coal & Power Im/Ex, Office of Coal & Power Systems, Office of Fossil Energy.

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